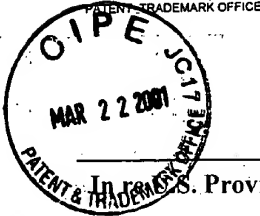




23448



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: U.S. Provisional Patent Application of:

Applicant: VON KNEBEL-DOEBERITZ,
Magnus
KLEIN-BAUERNSCHMITT, Petra
ZUR HAUSEN, Harald
SCHLEHOFER, Jorg

Atty. Docket No.: 4121-121

Application No.: 09/719,336

Examiner: Not Yet
Assigned

Date Filed: December 8, 2000

Group Art Unit: Not Yet
Assigned

Title: USE OF ADENO-ASSOCIATED
VIRUSES FOR DECREASING
THE RADIOTHERAPY-INDUCED
OR CHEMOTHERAPY-INDUCED
RESISTANCE IN CANCER
PATIENTS

Paper No.: 2

FIRST CLASS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the
Commissioner for Patents on the date specified, in an envelope addressed
to the Commissioner for Patents, Washington, DC 20231, and First Class
Mailed under the provisions of 37 CFR 1.8.

Blake Crouch

March 19, 2001

Date of Mailing

**SUBMISSION OF DECLARATION AND POWER OF ATTORNEY, ASSIGNMENT
AND SMALL ENTITY STATEMENT IN U.S. PATENT APPLICATION 09/719,336**

Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

RECEIVED 22 DEC 2001 09:21:33

Sir:

Enclosed and submitted herewith are the following documents:

- (1) A declaration and power of attorney executed by the inventors in the above-identified application;
- (2) An assignment and an assignment recordation cover sheet, for recordation in the assignment records of the Patent and Trademark Office; and
- (3) A verified statement claiming small entity status, executed on behalf of the assignee.

Please record the assignment in the assignment records of the USPTO and issue an appertaining Notice of Recordation.

Enclosed is a check in the amount of \$105.00, payable to Commissioner of Patents and Trademarks, to cover the surcharge of \$65.00 specified in 37 CFR §1.16 (e) as well as the \$40.00 fee specified in 37 CFR §1.21 (h) for recordation of the enclosed assignment. Please charge any deficiency and credit any excess payment to Deposit Account No. 08-3284 of Intellectual Property/Technology Law.

It is noted that no Notice to File Missing Parts has been received by the undersigned attorney to date. Accordingly, in view of the three months which has elapsed since the filing of the application, the enclosed documents (1)-(3) are enclosed and submitted herewith, to complete the application and place same in form and condition for examination.

03/26/2001 NGUYEN 00000056 09719336

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65.00 OP

Respectfully submitted,



Steven J. Hultquist
Reg. No. 28,021
Attorney for Applicant

**INTELLECTUAL PROPERTY/
TECHNOLOGY LAW**
P.O. Box 14329
Research Triangle Park, NC 27709
Phone: (919) 419-9350
Fax: (919) 419-9354
Atty Docket: 4121-121

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(e)4 & 1.27(d)) -- FOREIGN NON PROFIT ORGANIZATION

Docket No. 4121-121

Applicants: VON KNEBEL-DOEBERITZ, Magnus
KLEIN-BAUERNSCHMITT, Petra
ZUR HAUSEN, Harald
SCHLEHOFER, Jörg,

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MAY 02 2001

TECH CENTER 1600/2900

Title: USE OF ADENO-ASSOCIATED VIRUS FOR DECREASING THE RADIOTHERAPY-INDUCED OR
CHEMOTHERAPY-INDUCED RESISTANCE IN CANCER PATIENTS

Filing Date: December 8, 2000 (EXPRESS MAIL FILING UNDER 37 CFR 1.10)

I hereby declare that I am:

- ☐ the owner of the foreign non-profit organization identified below:
☒ an official of the foreign non-profit organization empowered to act on behalf of the concern identified below:

NAME OF NON-PROFIT ORGANIZATION:

Deutsches Krebsforschungszentrum Stiftung Des
Offentlichen Rechts

ADDRESS OF NON-PROFIT ORGANIZATION:

Im Neuenheimer Feld 280, D-69120
Heidelberg, Germany

I hereby declare that the above identified foreign non-profit organization qualifies as a non-profit organization as defined in 37 CFR 1.9(e), for purposes of paying reduced fees to the United States Patent and Trademark Office.

I hereby aver that exclusive rights under contract or law have been conveyed to and remain with the foreign non-profit organization identified above with regard to the invention described in:

- ☒ The United States patent application filed on December 8, 2000 with title as listed above, based on international patent application number PCT/DE99/01711 filed 08 June 1999 and claiming priority of German patent application no. 198 25 620.5 filed 08 June 1998 (35 U.S.C. §371).
☐ Application Serial No. _____ filed _____
☐ U.S. Patent No. 09719336 issued 3/22/01

If the rights held by the above-identified non-profit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate verified statements averring to their status as small entities, and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a non-profit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.
☐ Each such person, concern or organization is listed below:

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at any time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Prof. Dr. med. H. zur Hausen Dr. rer. pol. J. Puchta
Chairman a.Scient. Member Adm. Member

TITLE OF PERSON IF OTHER THAN OWNER _____ of the Board

ADDRESS OF PERSON SIGNING Eichenstr. 1, 69483 Waldmichelbach, Eichenweg 12a
69198 Schriesheim

SIGNATURE _____ DATE Jan. 17, 2001